

OVERVIEW OF ABC

The Kentucky Alcoholic Beverage Control, within the Cabinet of Public Protection, is charged with maintaining a controlled distribution system for beverage alcohol, balanced with a program of enforcement and education to prevent misuse.

The Alcoholic Beverage Control also has the responsibility of enforcing laws related to tobacco purchases by underage individuals.

ALCOHOL LAWS

No retail licensee shall sell, give away, deliver any alcoholic beverages, or procure or permit any alcoholic beverages to be sold, given away or delivered to:

- a minor
- a person actually or apparently under the influence of alcoholic beverages

No person under 21 years of age shall enter an alcohol licensed premises to attempt to purchase, or have another purchase alcoholic beverages for them.

No person licensed to sell alcoholic beverages shall allow the premises to become disorderly by:

- engaging in fighting or in violent, tumultuous or threatening behavior.
- creating a hazardous or physically offensive condition by an act that serves no legitimate purpose.

No establishment licensed to sell alcoholic beverages shall employ anyone under the age of 20 to sell or serve alcoholic beverages.

—Exception: If a store sells malt beverages by the package only (for off-premise consumption), the business may employ 18 or 19 year olds to sell malt beverages if supervised by a person at least 20 years of age.

If you are a bona fide restaurant with an alcoholic beverage license, you may employ those persons under the age of 20 if they are not involved with the sale, delivery or payment of the alcoholic beverages.

The only gambling permitted on alcoholic beverage licensed premises is:

- (1) When a charitable organization licensed by the Office of Charitable Gaming conducts an authorized gaming event.
- (2) The operation of a pari-mutual system for betting where authorized by statute.
- (3) Games authorized by The Kentucky Lottery Corporation.

MISSION

Through education and enforcement ensure alcohol and tobacco products are available only to legally eligible persons and that alcoholic beverages are sold and served in a safe environment and used in a responsible manner.

This mission is attained by:

- Licensing establishments that manufacture, distribute and sell alcoholic beverages.
- Fair and impartial enforcement of alcohol and tobacco laws.
- Cooperation with other law enforcement agencies.
- Support of educational programs on alcohol and tobacco abuse.
- Encourage voluntary compliance.

ABC's Enforcement Division has investigators trained to enforce all state laws with special emphasis placed on the enforcement of alcohol and tobacco laws. Investigators are strategically located throughout the state to effectively serve the needs of the public, licensed establishments, and other law enforcement agencies.

ABC's Education Branch has instructors trained in alcohol and tobacco regulations. This branch supports the Enforcement Division by offering responsible server/seller training throughout the state. This program is called S.T.A.R. (Server Training in Alcohol Regulations). It is a 4 1/2 hour state specific class and cost \$35.00 person. Private classes and Spanish classes are available. This program is designed to meet the growing needs of retail licensees and administrators by providing them with current information on responsible selling, liability and altered identifications. The certification received from successful completion of this program is valid for three years. To schedule a class please contact our office at (502) 564-4850.

TOBACCO LAWS

No person shall sell or cause to be sold any tobacco products to anyone under the age of 18.

Any person who sells tobacco products at retail shall have a sign posted stating that it is illegal to sell tobacco products to anyone under 18.

Any person who sells tobacco products shall require proof of age if the person has reason to believe that the perspective buyer is under 18.

It is unlawful for a person under 18 to purchase or accept receipt of, or attempt to purchase any tobacco product or misrepresent their age in an attempt to obtain tobacco.

Any person who distributes tobacco products, including samples, shall require proof of age.

The sale of tobacco products dispensed through a vending machine is prohibited to anyone under the age of 18.

The purchase of tobacco through a vending machine by anyone under 18 is prohibited.

Vending machines selling tobacco products must be in line of sight of a cashier, except for places minors are not allowed.

Each owner of a retail establishment selling tobacco shall notify his employees that proof of age is required if buyer appears to be under 18.

The owner of a retail establishment selling tobacco must keep on file a signed notice for each employee selling tobacco that they are aware of the law pertaining to underage sales.

Message from the Commissioner

“One of the priorities of ABC is the health and well being of Kentucky’s youth. As Commissioner, I support this office’s programs to prevent the illegal sales of alcohol and tobacco to those who cannot legally purchase.

Our efforts to stop these underage purchases by educating the retailers, the general public and law enforcement agencies, as to these problems and then working together to solve them, is very important.

With efforts being made by state and local governments, the alcohol and tobacco industries, and with community support, Kentucky will continue to lead the nation in its fight against youth access to alcohol and tobacco products.”

KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

ALCOHOL AND TOBACCO EDUCATION AND ENFORCEMENT

